

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

\* \* \*

KAL-MOR-USA, LLC,

Plaintiff,

Case No. 2:13-cv-01046-GMN-PAL

V.

BANK OF AMERICA, N.A., et al.,

## Defendants.

## **ORDER**

(Mtn to Substitute – Dkt. #24)

13        This matter is before the court on the Substitution of Attorneys (Dkt. #24) filed June 27,  
14        2014. Neil Durrant seeks leave to be substituted in the place of Luis Ayon and Margaret E.  
15        Schmidt as counsel for Plaintiff Kal-Mor-USA, LLC. LR IA 10-6 provides that the signature of  
16        an attorney to substitute into a case “constitutes an express acceptance of all dates then set for  
17        pretrial proceedings, for trial or hearing, by the discovery plan, or in any court order.” LR IA 10-  
18        6(d) also provides that the substitution of an attorney “shall not alone be reason for delay of  
19        pretrial proceedings, discovery, the trial, or any hearing in this case.” In addition, any stipulation  
20        to substitute shall only be by leave of court. LR IA 10-6(c).

21 Plaintiff filed the complaint in state court, and Defendant Fidelity National Title  
22 Insurance Company removed it to this court on June 12, 2013. *See* Petition for Removal (Dkt.  
23 #1). On March 17, 2014, the district judge entered an Order (Dkt. #17) staying this case pending  
24 the Nevada Supreme Court's resolution of a certified question and directing the parties to file  
25 joint status reports beginning June 1, 2014. The parties have not filed any status report.

Having reviewed and considered the matter, and good cause appearing,

**IT IS ORDERED:**

28 ||| 1. The Substitution of Counsel (Dkt. #24) is APPROVED.

2. Neil Durrant is substituted in the place of Luis Ayon and Margaret E. Schmidt as counsel for Plaintiff Kal-Mor-USA, LLC, subject to the provisions of LR IA 10-6(c) and (d).
3. The parties shall forthwith comply with the district judge's order (dkt #7) to file a joint status report

Dated this 30th day of June, 2014.

Peggy A. Leen  
PEGGY A. LEEN  
UNITED STATES MAGISTRATE JUDGE